

Kevin R. Martin, SBN 176853
RANDICK O'DEA & TOOLIATOS, LLP

5000 Hopyard Road, Suite 400
Pleasanton, California 94588

Telephone: (925) 460-3700

Facsimile: (925) 460-0969

Email: kmartin@randicklaw.com

Attorneys Jamel Enterprises, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

EVERFLOW TECHNOLOGY
CORPORATION, incorporated under
the laws of the Republic of China
(Taiwan),

Plaintiff,

vs.

MILLENNIUM ELECTRONICS,
INC., a California corporation,

Defendant.

Case No.: C07-05795-JF (HRL)

**[PROPOSED] ORDER QUASHING
SUBPOENA AND GRANTING EXPENSES
OF MOTION**

F.R.C.P. 45(c)

Date: September 23, 2008

Time: 10:00 a.m.

Magistrate: Howard R. Lloyd

The motion of Jamel Enterprises, Inc. ("JAMEL") for an order quashing subpoena of Plaintiff EVERFLOW TECHNOLOGY CORPORATION ("EVERFLOW") and granting expenses pursuant to Federal Rule of Civil Procedure Section 45(c), came on regularly for hearing by the court on September 13, 2008 at 10:00 a.m., in Courtroom 2 of the above-referenced court. JAMEL appeared by counsel Kevin R. Martin; Plaintiff appeared by counsel Mark M. Fang.

Having reviewed the motion, the supporting papers and any opposition thereto, and on proof made to the satisfaction of the court:

IT IS ORDERED that the motion be, and it hereby is, granted in favor of JAMEL and

1 that JAMEL is awarded the sum of \$_____ for its attorney's fees and
2 expenses, and Plaintiff's attorney, Mark M. Fang, is ordered to pay JAMEL this sum within
3 _____ days of this Order.

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5 Date: September ____, 2008

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7 By: _____
8 **Magistrate Howard R. Lloyd**
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